

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2013-392-E**

IN RE: Joint Application of Duke Energy)	
Carolinas, LLC and North Carolina)	
Electric Membership Corporation for a)	FIRST SET OF DISCOVERY
Certificate of Environmental)	REQUESTS
Compatibility and Public Convenience)	
and Necessity for the Construction and)	
Operation of a 750 MW Combined)	
Generating Plant Near Anderson, SC.)	

Pursuant to 26 S.C. Code Ann. Regs 103-833 of the South Carolina Code of Regulations, Invenergy Thermal Development LLC. ("Invenergy") respectfully requests that Duke Energy Carolinas, LLC, ("DEC") and North Carolina Electric Membership Corporation ("NCEMC") answer the interrogatories within twenty (20) calendar days of receipt of this request.

A copy of this request has been sent to the Chief Clerk of the Public Service Commission of South Carolina.

INSTRUCTIONS

Invenergy hereby requests, pursuant to 26 S.C. Code Regs. 103-833 (Supp. 2007), that DEC and NCEMC answer the following interrogatories in writing and under oath and serve the undersigned within twenty (20) days after service of this request to Richard L. Whitt, Austin & Rogers, P.A. at 508 Hampton Street, Suite 300, Columbia, South Carolina, 29201. If you are unable to respond to any of the requests, or parts thereof, please specify the reason for your inability to respond and state what other knowledge or information you have concerning the unanswered portion.

As used in these requests, "**identify**" means, when asked to identify a person, to provide the full name, title, current address and telephone number of the person. When asked to identify or provide a document, "**identify**" and "**provide**" means to provide a full and detailed description of the document and the name and address of the person who has custody of the document. In lieu of providing a full and detailed description of a document, you may attach to your responses a copy of the document and identify the person who has custody of it.

When the word "**document**" is used herein, it means any written, printed, typed, graphic, photographic, or electronic matter of any kind or nature and includes, but is not limited to, statements, contracts, agreements, reports, opinions, graphs, books, records, letters, correspondence, notes, notebooks, minutes, diaries, memoranda, transcripts, photographs, pictures, photo micro graphs, prints, negatives, motion pictures, sketches, drawings, publications, and tape recordings. As used in this data request, "**address**" means mailing address and business address.

Wherever in this request a masculine pronoun or possessive adjective appears, it refers to both males and females in accordance with traditional English usage.

IT IS HEREIN REQUESTED:

A. That all information shall be provided to the undersigned in the format as requested.

B. That all responses to the requests below be labeled using the same numbers as used herein.

C. That each of the enumerated requests be reproduced at the beginning of each of the responses.

D. That if the requested information is found in other places or in other exhibits, reference not be made to those, but instead, that the information be reproduced and placed in the request in the appropriate sequence.

E. That any inquiries or communications relating to questions concerning clarifications of the requested below be directed to the undersigned.

F. That all exhibits be reduced to 8 x 11 format, where practical.

G. That the requested information be bound in ring binders (loose leaf notebooks) or otherwise suitably bound.

H. That in addition to the signature and verification at the close of DEC's and NCEMC's responses, DEC's and NCEMC's witness(es) or employee(s) responsible for the information contained in each response be indicated.

I. That DEC and NCEMC provide Invenergy copies of the responses to this request as soon as possible, but no later than twenty (20) days after service thereof.

J. If the response to any request is that the information requested is not currently available, please state when the information requested will be available.

K. This request shall be deemed to be continuing so as to require DEC and NCEMC to supplement or amend its responses as any additional information becomes available.

FIRST SET OF INTERROGATORIES

QUESTION 1-1:

What are the names of the entities that responded to DEC's RFP, (it is our opinion that the names of the responders are not proprietary information)?

QUESTION 1-2:

What are the names and roles of the individuals who were involved in the evaluation process in DEC's RFP?

QUESTION 1-3:

List the evaluation factors or criteria used in DEC's RFP and provide the relative weights given to those factors or criteria?

QUESTION 1-4:

Were any respondents to DEC's RFP asked for additional information, other than updated pricing, during the review process? If so, what was the information requested?

QUESTION 1-5:

Was there a "Chinese wall" and no-conduit, between the Request for Proposal (RFP) team and the self-build team at DEC?

QUESTION 1-6:

Was there any overlap of personnel between the RFP team and team developing the self-build proposal at DEC?

QUESTION 1-7:

What are the names and roles of the individuals involved in the development of the DEC proposal?

QUESTION 1-8:

Did DEC's self-build proposal go through the same process conducted by the independent third party that evaluated the bids and acted as an intermediary between DEC and the short listed bidders? Was a comparable analysis done by the independent third party (Burns & McDonnell) for the DEC self-build proposal?

QUESTION 1-9:

Did DEC utilize an engineering firm to help DEC develop its cost proposal and provide engineering services to evaluate items (such as heat rate and output, both from turbine manufacturers)? If yes, did DEC utilize the same engineering firm to review proposals that were received from the short list? If yes, please provide the name of the engineering firm that was utilized.

QUESTION 1-10:

Was the third-party evaluator (or any other entity such as an engineering firm) involved in technical or fiscal review of the proposals?

QUESTION 1-11:

Did DEC use the services of any external entity to develop its proposal? If so, who and for what service?

QUESTION 1-12:

DEC had direct contact with the short listed bidders. Was there an overlap of personnel who examined bids and who prepared self-build proposal?

QUESTION 1-13:

Did DEC begin any informal discussions or activities (interconnection request, siting, permitting initiatives) associated with their self-build project before DEC issued the RFP for bidders to bid on building the project?

QUESTION 1-14:

What is/are the names and roles of the individual(s) responsible for the final decision in this process? How many options (proposals, internal, etc.) were evaluated at the point at which a final decision was made? What were those other options and why were they not selected?

QUESTION 1-15:

At what point did DEC initiate discussions with North Carolina Electric Membership Corporation (NCEMC)?

QUESTION 1-16:

Was NCEMC involved in review of the proposals?

QUESTION 1-17:

Did the decision to partner with NCEMC in any way impact the decision to reject all proposals and conduct a self-build of this capacity?

QUESTION 1-18:

When did the final agreement with NCEMC become effective? Is it a firm and binding agreement? Has NCEMC posted security to DEC?

QUESTION 1-19:

What were the reasons that the Invenergy proposal was not selected?

QUESTION 1-20:

Which of the 5 bids ranked in Hager Exhibit 7 was Invenergy's?

Respectfully Submitted,

/S/

Richard L. Whitt
AUSTIN & ROGERS, P.A.
508 Hampton Street, Suite 300
Columbia South Carolina, 29201
803-251-7442
Attorney for Intervenor, Invenergy Thermal
Development LLC

December 10, 2013
Columbia, South Carolina